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Docket 79909F-P
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Dale F. McIntyre, et al

COMPUTER SOFTWARE
PRODUCT AND SYSTEM FOR
ADVERTISING BUSINESS AND
SERVICES

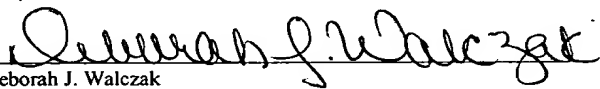
Serial No. US 09/451,315

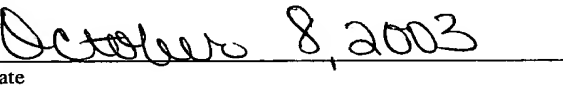
Filed 30 November 1999

Group Art Unit: 3622

Examiner: Jeffrey D. Carlson

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Before the Board of Patent Appeals and Interferences, Washington, D.C. 20231.


Deborah J. Walczak


Date

Commissioner for Patents
Box AF
Washington, D.C. 20231

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Sir:

APPELLANTS' REPLY BRIEF

With regard to the status of the claims, the Examiner is correct that claim 32 was cancelled and not presented for appeal.

The Examiner in the response, argues that applicants' claimed language is broader than applicants' arguments. Applicants respectfully submits that this is not correct. The Examiner takes the position that if the PC supplies the image, than it is supplied by the user. This is not correct. Images that are presented on any PC, especially when hooked up to an Internet, can be supplied by a number of different sources. For example, when an individual logs onto a web site, the images that may be present are supplied by the web site, not by the person visiting the web site. The fact that it is being displayed on the user's PC does not relate directly as to the source of the image. It is quite clear in the cited Small reference that the image being supplied are advertisements provided by the

advertiser. In each of the independent claims of the present invention, it is clear that the images are supplied by the user as discussed in applicants appeal brief. The images supplied by the user in the application are images that have originated from the user. Thus, providing a relevancy to the user as opposed to images supplied by a third party which typically have little or no relevancy to the user. It is respectfully submitted that the mere fact that images are displayed on a PC does not necessarily mean that the images were supplied by the user.

In view of the foregoing and the arguments present in applicants' brief, applicants respectfully request that the Board of Patent Appeals and Interferences reverse the rejection by the Examiner and mandate the allowance of claims 1-33.

Respectfully submitted,



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